

**MINUTES FOR THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

June 26, 2006

DIVISION ONE

B187480 Los Angeles County, D.C.S. (Not for Publication)
 v.
 R. H.

The October 11, 2005 jurisdictional order is affirmed. The November 17, 2005 dispositional order is affirmed. The November 17, 2005 orders denying R.H. (Father) presumed father status and denying him reunification services are reversed, and the matter is remanded for further proceedings consistent with the views expressed herein.

Mallano, J.

We concur: Spencer, P.J.
 Rothschild, J.

B189338 County of Los Angeles (Certified for Publication)
 District Attorney's Office
 v.
 Superior Court, Los Angeles County
 (Melissa Greenstein, r.p.i.)

Let a peremptory writ of mandate issue commanding respondent Los Angeles County Superior Court to vacate its order of February 16, 2006, granting the motion of real party in interest Melissa Greenstein to enforce a subpoena duces tecum served on petitioner Los Angeles County District Attorney's Office and to enter a new and different order denying the motion. The temporary stay order issued on March 1, 2006, is dissolved. The parties are to bear their own costs.

Mallano, J.

We concur: Spencer, P.J.
 Rothschild, J.

June 26, 2006 (Continued)

DIVISION ONE (Continued)

B187165 Paul Chew (Not for Publication)
v.
County of Los Angeles

The judgment is affirmed. County shall recover its costs on appeal.

Mallano, J.

I concur: Spencer, P.J.
I concur in the judgment only: Vogel (Miriam A.), J.

B189771 Diane M. (Not for Publication)
v.
Superior Court, Los Angeles County
(Department of Children & Family Services, r.p.i.)

The petition for an extraordinary writ is denied. This decision is final in this court immediately. (Cal. Rules of Court, rule 24(b)(2)(A).)

Mallano, J.

We concur: Spencer, P.J.
Rothschild, J.

B182471 People (Not for Publication)
v.
Moore

The judgment is reversed.

Mallano, J.

I concur: Spencer, P.J.
I concur in judgment only: Vogel (Miriam A.), J.

DIVISION ONE (Continued)

B187823 Los Angeles County, D.C.S. (Certified for Publication)
v.
Jesus H.

The orders denying Jesus's request for a paternity test and terminating his parental rights are reversed, and the cause is remanded to the dependency court with directions (1) to transfer the case to a judge other than the judge whose orders are the subject of this appeal (Code Civ. Proc., § 170.1, subd. (c)), (2) to *immediately* conduct a hearing to determine whether Jesus come forward promptly after learning of the baby's existence and otherwise satisfied the requirements of *Adoption of Kelsey S., supra*, 1 Cal.4th at page 849, and, if he did, to *immediately* order a paternity test and, if he is the biological father, (3) to investigate Jesus's fitness and, unless he is unfit, to provide him with reunification services and visitation, (4) to consider anew all issues about the appropriate permanent plan for Baby V., and (5) to make such other orders as may be necessary and appropriate. The clerk of our court is directed to mail a copy of this opinion to the Presiding Judge of the Los Angeles Superior Court.

Vogel (Miriam A.), J.

We concur: Mallano, Acting P.J.
 Rothschild, J.

B180813 Yahya Eshagian et al. (Not for Publication)
v.
Mousa Ghodsi et al.

The judgment is affirmed. Plaintiffs are awarded their costs of appeal.

Vogel (Miriam A.), J.

We concur: Spencer, P.J.
 Rothschild, J.

DIVISION ONE (Continued)

B182480 Crusader Insurance Company
 v.
 Harry W. Gorst Company, Inc.

Filed order modifying opinion. (No change in the judgment)

DIVISION THREE

B182835 Ronald Sanchez
 v.
 City of Los Angeles et al.

Filed order granting petition for rehearing.

B182835 Ronald Sanchez (Certified for Publication)
 v.
 City of Los Angeles et al

The judgment denying Sanchez's petition for writ of mandate is reversed. Because the pay grade reduction is time-barred, the matter is remanded to the trial court with directions to order the Department to reinstate Sanchez to the position of Police Officer III. Sanchez shall recover costs on appeal.

Klein, P.J.

I concur: Croskey, J.
I concur Kitching, J. (opinion)

B178751 Yoshinoya West, Inc. (Not for Publication)
 v.
 Franchise Tax Board

The judgment is affirmed. The Board shall recover its costs on appeal.

Klein, P.J.

We concur: Croskey, J.
 Kitching, J.

DIVISION THREE (Continued)

B184423 People (Not for Publication)
v.
Vincent Audelo

The judgment is affirmed.

Klein, P.J.

We concur: Croskey, J.
 Kitching, J.

B182675 Modern Data Products, Inc. (Not for Publication)
v.
Kevin Koch et al

The order awarding attorney's fees is affirmed. Koch, Wilbur and Sisson are awarded costs on appeal.

Klein, P.J.

We concur: Kitching, J.
 Aldrich, J.

B183435 Southern California Edison Company (Certified for Publication)
v.
Public Utilities Commission
State Building and Construction Trades Council of CA., AFL-CIO et al

Decision No. 04-12-056 is annulled to the extent it orders the respondents to the proceedings to require the payment of prevailing wages to workers employed on energy utility construction projects. Edison is entitled to recover its costs in this proceeding from the PUC and the real parties in interest.

Croskey, Acting P.J.

We concur: Kitching, J.
 Aldrich, J.

DIVISION THREE (Continued)

B178751 Yoshinoya West Inc. (Not for Publication)
 v.
 Franchise Tax Board

The judgment is affirmed. The Board shall recover its costs on appeal.

Klein, P.J.

We concur: Croskey, J.
 Kitching, J.

B178157 Marcia L. Kraft (Not for Publication)
 v.
 Maria Del Carmen Gordon

The judgment is affirmed. Gordon is to pay Attorney Kraft's costs on appeal.

Croskey, J.

We concur: Klein, P.J.
 Kitching, J.

DIVISION FIVE

B184289 People (Not for Publication)
 v.
 Cooper

The judgment is affirmed.

Mosk, J.

We concur: Turner, P.J.
 Kriegler, J.

June 26, 2006 (Continued)

DIVISION SIX

B181915 People (Not for Publication)
v.
Mass

The judgment is affirmed.

Gilbert, P.J.

We concur: Yegan, J.
Coffee, J.

B187199 FTR International, Inc.
v.
Ventura County Superior Court (Rio School District, r.p.i.)

B187400 Rio School District
v.
Ventura County Superior Court (FTR International, Inc., r.p.i.)

Filed order consolidating above captioned appeals for purposes of oral argument and decision..

B187199 FTR International, Inc. (Not for Publication)
v.
Ventura County Superior Court (Rio School District, r.p.i.)

The petition is denied. Costs are awarded to the District.

Coffee, J.

We concur: Yegan, Acting P.J.
Perren, J.

DIVISION SIX (Continued)

B187400 Rio School District (Not for Publication)

v.

Ventura County Superior Court (FTR International, Inc., r.p.i.)

We grant the petition for writ of mandate filed by the District in Case No. B187400 and direct the respondent superior court to vacate its order of October 17, 2005, transferring this action to Los Angeles County Superior Court.

Coffee, J.

We concur: Yegan, Acting P.J.
 Perren, J.

B182907 People (Not for Publication)

v.

Marvin C.

The order sustaining the petition on count 2, receiving stolen property, is reversed. In all other respects the order is affirmed.

Gilbert, P.J.

We concur: Yegan, J.
 Coffee, J.

B187340 McCarley

v.

Nairne

Filed order reversing judgment appealed from and remanding to the trial court with directions to vacate and set aside the judgment and dismiss the action with prejudice and that the remittitur shall issue forthwith, and that each party shall bear its own costs on appeal. (Code of Civil Procedure Section 128(a)(8))